

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JODY BYRD, #236 552

*

Plaintiff,

*

v.

*

2:06-CV-1109-WKW

PHS MEDICAL DENTIST, *et al.*,

*

Defendants.

*

O R D E R

Plaintiff filed a response to the court's January 5, 2007 order that he submit information regarding his inmate account. The response is not in compliance with the court's directive that, pursuant to the fee provisions of 28 U.S.C. § 1915(b)(1), he submit an inmate account statement reflecting the average monthly balance in his prison account and the average monthly deposits to his account for the 6-month period *immediately* preceding the filing of this complaint. Plaintiff indicates that he did not have enough time to submit this information to the court within the time allotted. (*See* Doc. No. 4.)

In light of the foregoing, Plaintiff shall be granted additional time to provide the court with current information regarding his inmate account so the court may determine whether he should be allowed to proceed *in forma pauperis* in this cause of action.

Accordingly, it is ORDERED that:

1. On or before February 2, 2007 Plaintiff shall submit an inmate account statement

reflecting the average monthly balance in his prison account and the average monthly deposits to his account for the 6-month period *immediately* preceding the filing of the instant complaint. This should provide Plaintiff sufficient time within which to receive this information from the account clerk at the institution. If Plaintiff still needs additional time to comply with the directives contained herein, he should file the appropriate motion. Plaintiff is cautioned that his failure to comply with this order will result in a Recommendation by the undersigned that this case be dismissed;

2. The Clerk SEND a copy of this order to the account clerk at the Bullock Correctional Facility.

Done, this 17th day of January 2007.

/s/Terry F. Moorer
TERRY F. MOORER
UNITED STATES MAGISTRATE JUDGE